

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services proposes to rescind Chapter 155, “Child Abuse Prevention Program,” Iowa Administrative Code, and to adopt a new Chapter 155 with the same title.

The proposed new chapter updates the rules that define and structure the child abuse prevention program. Program services are provided at the local level through community-based child abuse prevention projects. Program funds are administered by an entity under contract with the Department. The current administrative services contract for this program will expire June 30, 2011. The Department is issuing a request for proposals (RFP) for a single statewide performance-based administrative services contract for state fiscal year 2012.

The current rules limit the Department’s ability to purchase the services needed by narrowly dictating the procurement process. The required process also does not align with current state rules regarding the purchase of services. Furthermore, the Child Abuse Prevention and Treatment Act, Public Law 111-320, places new requirements on states in regard to community-based prevention of child abuse.

Rescinding Chapter 155 and adopting a new chapter with a more generalized description of the program will allow the Department to guide the program’s direction through the RFP and contracting process. Annual goals will be set for the program by the child abuse prevention program advisory committee and implemented through the contractor’s process for disbursement of program funds. Setting detailed program objectives and processes through the request for proposals and the contract for program administration will allow the Department to implement program changes as required by the federal government without requiring the need for rule changes.

These rules do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Any interested person may make written comments on the proposed rules on or before March 1, 2011. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

These rules are intended to implement Iowa Code sections 235A.1 and 235A.2.

The following amendment is proposed.

Rescind 441—Chapter 155 and adopt the following **new** chapter in lieu thereof:

CHAPTER 155

CHILD ABUSE PREVENTION PROGRAM

PREAMBLE

These rules define and structure the child abuse prevention program. Services are provided through a single statewide performance-based contract for the administration of funds to be used at the local level for community-based child abuse prevention projects.

441—155.1(235A) Definitions.

“Advisory committee” or “committee” means the child abuse prevention program advisory committee authorized by Iowa Code section 217.3A.

“Child abuse prevention program” or “program” means the program established by Iowa Code section 235A.1. Use of either term in the context of this chapter refers to the program as a whole rather than individual projects funded under the program.

“Community-based volunteer coalition or council” or “community council” means that group of persons who, by consensus of a community’s human service providers, represent that community’s interests in the area of prevention of child abuse and neglect and who serve in that representational capacity without compensation. The consensus of the community’s human service providers may be demonstrated through letters of support or similar documentation.

“Contractor” means the single agency or organization with which the department contracts for the administration of child abuse prevention program funds.

“Department” means the Iowa department of human services.

“Director” means the director of the department of human services.

“Fiscal year” means the 12-month period for which child abuse prevention program funds are appropriated.

“Grant project” means a project funded under the child abuse prevention program as awarded by the contractor.

441—155.2(235A) Availability of funds. In any year in which the legislature appropriates funds for the child abuse prevention program, the department shall solicit proposals for the program administration contract through formal competitive procurement conducted according to the requirements of 11—Chapters 106 and 107.

441—155.3(235A) Eligibility requirements. Eligibility for the program administration contract is limited to statewide agencies or organizations that make maximum use of voluntary administrative services.

441—155.4(235A) Contract for program administration. The department shall contract with a single agency or organization to:

1. Administer the appropriated funds and any grants, gifts or bequests to the department that are specifically designated by their source for use in the child abuse prevention program; and
2. Study and evaluate community-based prevention projects and educational programs for the problems of families and children in accordance with the provisions of Iowa Code section 235A.1 and this chapter.

441—155.5(235A) Awarding of grants. In any year in which the department contracts with an agency or organization for the administration of child abuse prevention program funds, the contractor shall solicit grant project proposals. Funds for the grant projects shall be applied for and received by community-based volunteer coalitions or councils. Grant projects may be awarded to fund the establishment or expansion of community-based prevention projects or educational programs for the prevention of child abuse and neglect.

155.5(1) The advisory committee shall establish specific program goals for each fiscal year in which program funds are appropriated. These program goals shall address the current and emerging needs of children and families throughout the state.

155.5(2) The contractor shall widely disseminate a request for grant project proposals consistent with all state and federal procurement requirements. The request for grant project proposals shall fully describe the child abuse prevention program goals and the procedures for applying for and receiving program funds, as agreed upon in the administration contract.

155.5(3) All grant project proposals shall be reviewed by the contractor, who shall consult with the advisory committee on grant project selection. The committee shall advise the department as to the contractor’s compliance with the established program goals.

These rules are intended to implement Iowa Code sections 235A.1 and 235A.2.